

## **TITLE 16. BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**

NOTICE IS HEREBY GIVEN that the Board of Vocational Nursing and Psychiatric Technicians is proposing to take action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs, Hearing Room, Suite 1030, 400 R Street, Sacramento, California, at 1:00 p.m., Tuesday, April 17, 2001. Written comments must be received by mail or filed in person at the Board of Vocational Nursing and Psychiatric Technicians at 2535 Capitol Oaks Drive, Suite 205, Sacramento, California 95833, or may be faxed to the Board at (916) 263-7859, or may be e-mailed to kim\_frankland@dca.ca.gov not later than 5:00 p.m. on Monday, April 16, 2001, or must be received by the Board at the hearing. The Board upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in the Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2854 of the Business and Professions Code, and to implement, interpret or make specific section 2860.5 of said Code, the Board is considering changes to Division 25 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

#### **Vocational Nursing Regulations**

Adopt Section 2542.6 of Article 8, Division 25, and Section 2547.6 of Article 10, Division 25.

Existing law authorizes the Board of Vocational Nursing and Psychiatric Technicians to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Vocational Nursing Practice Act.

This proposal will add new language in regulation to permit licensed vocational nurses who are Board-certified in intravenous therapy to administer specified intravenous medications in hemodialysis, pheresis and blood bank settings.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to any Local Agency or School District for Which Government Code Section 17561 Required Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: The Board has made an initial determination that the proposed regulations will not have any affect on housing costs in the State of California.

## SMALL BUSINESS DETERMINATION

The Board has determined that the proposed regulatory action would have no impact on small business. The proposed regulatory action would only affect vocational nursing and psychiatric technician programs, applicants for California licensure and individual licensees.

## CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

### STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and other information, if any, may be obtained at the hearing or prior to the hearing upon request from the Board of Vocational Nursing and Psychiatric Technicians at 2535 Capitol Oaks Drive, Suite 205, Sacramento, California 95833.

### AVAILABILITY AND LOCATION OF THE RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the Board of Vocational Nursing and Psychiatric Technicians at the address mentioned above.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

### CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed to Kim Frankland at the above address or at (916) 263-7848.

The backup contact person is Angela Hole, (916) 263-7845. The persons designated to respond to questions on the substance of the regulatory proposal are Ann Shuman, (916) 263-7837, and Jeanne Templeman, (916) 263-7838.

Website access: Materials regarding this proposal can be found at <http://www.bvnpt.ca.gov>.

**Board of Vocational Nursing and Psychiatric Technicians**

**PROPOSED REGULATORY CHANGES  
VOCATIONAL NURSING REGULATIONS  
SPECIFIC LANGUAGE**

**Add Section 2542.6 of Article 8, Title 16, California Code of Regulations, Division 25, Chapter 1, as follows:**

**§2542.6. Medications.**

(a) Nothing in this article shall be construed to permit a licensed vocational nurse to administer intravenous medications except under the guidelines as specified in section 2542.6

(b).

(b) Licensed vocational nurses who are Board-certified in intravenous therapy are permitted to infuse intravenous medications that are integral to hemodialysis, pheresis or blood bank procedures, provided that the licensee:

(1) Receives specialized instruction in the proper procedure from a registered nurse or licensed physician;

(2) Demonstrates the requisite knowledge, skills and ability prior to performance of the procedure;

(3) Performs the procedure in accordance with a licensed physician's order; the physician's medical guidelines or individual orders must designate the specific medications that are considered to be integral to the hemodialysis, pheresis or blood bank procedure within the particular setting. Such orders must be specific to the individual patient; and

(4) Performs the procedure with a licensed physician or registered nurse in the immediate vicinity.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

**Add Section 2547.6 of Article 10, Title 16, California Code of Regulations, Division 25, Chapter 1, as follows:**

**§2547.6. Medications.**

(a) Nothing in this article shall be construed to permit a licensed vocational nurse to administer intravenous medications except under the guidelines as specified in section 2547.6

(b).

(b) Licensed vocational nurses who are Board-certified in intravenous therapy are permitted to infuse intravenous medications that are integral to hemodialysis, pheresis or blood bank procedures, provided that the licensee:

(1) Receives specialized instruction in the proper procedure from a registered nurse or licensed physician;

(2) Demonstrates the requisite knowledge, skills and ability prior to performance of the procedure;

(3) Performs the procedure in accordance with a licensed physician's order; the physician's medical guidelines or individual orders must designate the specific medications that are considered to be integral to the hemodialysis, pheresis or blood bank procedure within the particular setting. Such orders must be specific to the individual patient; and

(4) Performs the procedure with a licensed physician or registered nurse in the immediate vicinity.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

# **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**

## **INITIAL STATEMENT OF REASONS**

**Hearing Date:** April 17, 2001

**Subject Matter of  
Proposed Regulations:** The proposed regulations will specify that in hemodialysis, pheresis and blood bank settings, licensed vocational nurses may administer certain intravenous medications if defined requirements are met.

**Sections Affected:** Vocational Nursing: Sections 2542.6 and 2547.6

### **Vocational Nursing Regulations:**

#### **Sections 2542.6, Intravenous Therapy Medications and 2547.6, Intravenous Therapy Medications**

#### **Specific Purpose:**

The specific purpose of the proposed regulations is to provide language that will allow the licensed vocational nurse who is Board-certified in intravenous therapy to legally administer specified intravenous medications in hemodialysis, pheresis and blood bank units in accordance with the requirements as set forth in the proposal.

#### **Factual Basis:**

Licensed vocational nurses, by law, can perform technical manual skills to deliver nursing services. They receive theory and didactic content in their basic vocational nursing education programs regarding renal function and hemodynamics to understand the hemodialysis, pheresis and blood banking procedures. In general, they integrate knowledge from fundamentals, pharmacology, medical-surgical nursing and patient teaching to provide a comprehensive approach to patient care.

In accordance with Sections 2542 and 2547 of the Vocational Nursing Rules and Regulations, licensed vocational nurses who are Board-certified in intravenous therapy are permitted to administer electrolytes, vitamins, nutrients, blood and blood products. Medications routinely used during hemodialysis, pheresis and blood banking procedures include electrolytes, nutrients, vitamins, and blood and blood products in addition to medications that prevent clot formation and support renal function.

As such, medications which are routinely used during hemodialysis, pheresis and blood banking procedures are considered “integral” to the procedure and are administered to the majority of patients in the setting based upon written medical guidelines adopted by the facility or ordered by individual physicians for their patients in the specified setting. These regulations would clarify and make specific the activity of administering medications considered integral to hemodialysis, pheresis and blood banking by licensed vocational nurses who are Board-certified in intravenous therapy and blood withdrawal and who have had specialized training in hemodialysis, pheresis and blood banking procedures.

### **Underlying Data**

The Board relied on material entitled, “Administration of Intravenous Medications Integral to Hemodialysis, Pheresis and Blood Bank Procedures” dated June 9, 1999, and included as an attachment.

### **Business Impact**

These regulations will not have a significant adverse economic impact on businesses.

### **Specific Technologies or Equipment**

These regulations do not mandate the use of specific technologies or equipment.

### **Consideration of Alternatives**

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulation.

Set forth below is the alternative which was considered and the reason the alternative was rejected:

- The Board could do nothing, maintaining the existing system. This alternative does not address the identified problems.